REMARKS

The Office Action dated October 16, 2007, has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1-28 are currently pending in the application, of which claims 1, 11-13, and 18-19 are independent claims. Claims 1 and 11-28 have been amended to more particularly point out and distinctly claim the invention. No new matter has been added. Entry of the amendments is respectfully requested on the basis of the Request for Continued Examination (RCE) enclosed herewith. Claims 1-28 are respectfully submitted for consideration.

Claims 1-9, 11-16, and 18-27 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0084300 of Koike ("Koike"). Applicants respectfully submit that the claims recite subject matter that is neither disclosed nor suggested in the cited art.

Claim 1, upon which claims 2-10 are dependent, is directed to a method including receiving at a broker a usage policy for constraints related to data of a user in a communication system. The method also includes receiving a request for data associated with the user from a service provider in the communication system to the broker, wherein the service provider possesses a privacy policy. The method further includes checking, in the broker, the request against a usage policy of the user. The method additionally includes deciding whether the data can be released. The privacy policy and the usage

policy specify a strictness level, selected from a defined list of strictness levels, describing the constraints related to the access of data.

Independent claim 11 is directed to a system including a service provider possessing a privacy policy. The system also includes a broker hosting a usage policy for constraints related to data of a user, configured to check a request from the service provider against the usage policy of the user and to decide whether data associated with the user can be released in response to the request. The usage policy specify a strictness level, selected from a defined list of strictness levels, describing the constraints related to the access of data.

Independent claim 12 is directed to a system including introducing means for introducing to a broker a usage policy for constraints related to data of a user. The system also includes receiving means for receiving a request for data associated with the user from a service provider to the broker. The system further includes checking means for checking, in the broker, the request against a usage policy of the user. The system additionally includes deciding means for deciding whether the data can be released. The usage policy specifies a strictness level, selected from a defined list of strictness levels, describing the constraints related to the access of data.

Claim 13, upon which claims 14-17 depend, is directed to an apparatus including a receiver configured to receive a request for data associated with a user from a service provider. The apparatus also includes a processor configured to check the request against a usage policy of the user and to decide whether the data can be released. The usage

policy specifies a strictness level, selected from a defined list of strictness levels, describing constraints related to the access of data.

Independent claim 18 is directed to an apparatus including receiving means for receiving a request for data associated with a user from a service provider. The apparatus also includes checking means for checking the request against a usage policy of the user. The apparatus further includes deciding means for deciding whether the data can be released. The usage policy specifies a strictness level, selected from a defined ordered list of strictness levels, describing the constraints related to the access of data.

Claim 19, upon which claims 20-28 depend, is directed to a computer-readable medium comprising computer-executable components. The components are configured to receive a usage policy for constraints related to data of a user in a communication system. The components are also configured to receive a request for data associated with the user from a service provider in the communication system, wherein the service provider possesses a privacy policy. The components are further configured to check the request against a usage policy of the user. The components are additionally configured to decide whether the data can be released. The privacy policy and the usage policy specify a strictness level, selected from a defined list of strictness levels, describing the constraints related to the access of data.

Applicants respectfully submit that Koike fails to disclose or suggest all of the elements of any of the presently pending claims.

Koike discloses a system for administrating data including privacy of the user and communication made between server and user's terminal device. Figure 1 of Koike

discloses a configuration wherein privacy data administrator 100 runs a program 90 for administrating privacy data, and is disposed between terminal device 120 and server 110, and includes a request receiver, a policy receiver, a comparator, and a memory. An example of privacy preference 50 is illustrated in Figure 3, and determines whether a prescribed privacy policy 30 is acceptable to a particular user. However, it is important to note that there is no disclosure nor suggestion in Koike of any method or apparatus wherein a privacy policy and/or usage policy specifies a strictness level which is selected from a defined set of strictness levels, with the strictness levels describing constraints related to the access of data. The configurations of Koike merely disclose individually specified conditions for release of information, according to privacy preference 50.

As discussed in applicant's present specification, the use of strictness levels selected from a defined set or list of strictness levels provides numerous significant advantages with respect to the present invention. For example, the use of a defined set or list of strictness levels enables certain levels of standardization.

Applicants respectfully submit that Koike fails to disclose or suggest, "wherein the privacy policy and the usage policy specify a strictness level, selected from a defined list of strictness levels, describing the constraints related to the access of data," as recited in claim 1, or the similar recitations of claims 11-13 and 18-19.

The Office Action cited Figures 2-3, 6-7, and 12-13, as well as paragraphs [0085]-[0088] as corresponding to these features of the privacy policy and usage policy, as previously presented. Applicants respectfully submit that Koike fails to disclose or suggest the presently claimed features.

The Office Action reasoned that the strictness levels in the various cited figures are all different, and consequently constitute a defined set of strictness levels. Applicants respectfully disagree.

To clarify the claims, the term "set" has been replaced with "list." Regardless of whether the disclosure of Koike provides a defined set of strictness levels, it certainly does not provide a "defined **list** of strictness levels."

Furthermore, Applicants respectfully submit that there is no embodiment of Koike that has the combination of features relied upon by the Office Action. As can be seen from paragraphs [0063] to [0074] of Koike, Figures 2-3 of Koike respectively depict a privacy policy and a privacy preference in a first embodiment. Figures 6-7 of Koike respectively depict a privacy policy and a privacy preference in a second embodiment. Figure 12-13 of Koike respectively depict a privacy policy and a privacy preference in a third embodiment. In short, pairwise the figures depict different things (the first of each pair depicts a privacy policy and the second depicts a privacy preferences) and amongst the pairs, the figures represent different (not the same) embodiments.

Koike in no way suggests that privacy policies are interchangeable for privacy preferences or that the various embodiments (first, second, and third) should somehow be combined. Accordingly, no embodiment of Koike includes either a "list" or (as previously presented) a "set" of strictness levels from which one level is selected. Instead, each embodiment of Koike has a single strictness level. Accordingly, Koike does not correspond to what is claimed.

In certain embodiments of the present invention, the usage policy specifies a strictness level which has been selected from an list, such as an ordered list, of strictness levels that determine the types of information that can be disclosed. Assuming *arguendo* that Koike disclose strictness parameters, these parameters are not ordered (or otherwise provided) in a list. The claims have been amended, to recite that the selection is made from a list of strictness levels. Support for this amendment may be at least, for example, at page 6, lines 17-21 of the present application.

Some of the many advantages of selecting a strictness level from a list, such as an ordered list, of strictness levels as recited in the present claims include, for example, simplification and standardization. For example, if the strictness levels are from 1 to 5, it becomes apparent that a strictness level of 2 is more strict than a strictness level of 4. Within Koike it is not apparent which parameters are stricter than others. Indeed, there does not appear to be any ready way to compare the strictness "levels" (in the Office Action's interpretation) of Koike, so as to consider them as different levels that could be arranged in a list. Furthermore, because the "levels" are not particularly related to each other (they are, as noted above, drawn from different embodiments), one of ordinary skill in the art would see no reason, such as teaching, motivation, or suggest to provide such a list, even if one could be somehow assembled.

From another perspective, it should be seen that Koike does not disclose or suggest different levels of strictness. Koike only provides different single-level examples of policy preferences. The fact that these examples are different does not mean that they define different levels of strictness. Thus, even if the different examples were to be

assembled as a list (not admitted), they would not be a list of strictness levels (plural). Indeed, as best understood, the strictness in each of the cases is *ad hoc* and binary.

In contrast, certain embodiments of the present invention can provide a list of defined strictness levels that are selectable, and a level from that list can be selected, which can enable standardized privacy control in communications, which is a critical and unobvious advantage of certain embodiments of the present invention. See, for example, paragraphs [0031] to [0033] of the present application.

For at least the reasons set forth above, it is respectfully requested that the rejection of claims 1, 11-13, and 18-19 be withdrawn.

Claims 2-9, 14-16, and 20-27 depend from and further limit claims 1, 13, and 19. It is, therefore, respectfully submitted that each of claims 2-9, 14-16, and 20-27 recites subject matter that is neither disclosed nor suggested in the cited art. It is, therefore, respectfully requested that the rejection of claims 2-9, 14-16, and 20-27 be withdrawn.

Claims 10, 17, and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Koike in view of U.S. Patent Application Publication No. 2005/0086061 of Holtmanns et al. ("Holtmanns"). The Office Action acknowledged certain deficiencies of Koike, but cited Holtmanns to remedy them. Applicants respectfully submit that the claims recite subject matter that is neither disclosed nor suggested in the combination of Koike and Holtmanns.

Claims 10, 17, and 28 depend respectively from, and further limit, claims 1, 13, and 19. At least some of the deficiencies of Koike with respect to claims 1, 13, and 19 are discussed above. Holtmanns fails to remedy the above-identified deficiencies of

Koike, and consequently the combination of Koike and Holtmanns fails to disclose or suggest all of the elements of any of the presently pending claims.

Holtmanns generally relates to a method and apparatus for personal information access control. Holtmanns, however, fails to disclose or suggest, "wherein the privacy policy and the usage policy specify a strictness level, selected from a defined list of strictness levels, describing the constraints related to the access of data," as recited in claim 1, or the similar recitations of claims 11-13 and 18-19. Thus, the combination of Koike and Holtmanns fails to disclose or suggest all of the features of claims 10, 17, and 28 and it is respectfully requested that the rejection of claims 10, 17, and 28 be withdrawn.

In view of the above, Applicants respectfully submit that each of presently pending claims 1-28 recite subject matter which is neither disclosed nor suggested in the cited art. Applicants, therefore, respectfully request that claims 1-28 be found allowable, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, Applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

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Enclosures: Petition for Extension of Time
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